IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

WP(C).No. 17460 of 2007(C)

PETITIONER:

SAINABA,
VELLARAM PARA (V), W/O. MOIDU MUSLIYAR M.P.(LATE),
MANGADAM PARAMBATH HOUSE, MANALAYA P.O.,
ANAMANGAD VIA., 679 357.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI

RESPONDENTS:

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1. THE ASSISTANT EDUCATIONAL OFFICER,
PERINTHALMANNA.

2. THE MANAGER,
AIDED U.P.SCHOOL, PATHAIKKARA, PATHAIKKARA P.O.,
PERINTHALMANNA.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 17460 of 2007C

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Dated this the 7th day of June, 2007.

J U D G M E N T

Petitioner claims that she is a Rule 51A claimant. According to her a vacancy of LPSA (Arabic) is now available in the school, in which she is entitled to be accommodated. However the Manager has informed the petitioner that she can be accommodated in a vacancy in the U.P. Section which may arise on July 15, 2007. The above communication issued by the Manager has been produced by the petitioner as Ext.P4.

2. I do not propose to deal with the above contention raised by the petitioner at this stage, in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner has highlighted all the relevant aspect of the issue in Ext.P2 representation submitted by her before the Manger as well as respondent No.1, Assistant Educational officer, Perinthalmanna. The limited prayer is to issue an appropriate direction to respondent No.1 to take a decision on Ext.P2 expeditiously.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P2 strictly on its merit and accordance with law, as expeditiously as possible, at any rate within one month from the date of receipt of a copy of this judgment. Respondent No.1 shall ensure that the petitioner and the Manager of the school and anyone else who is likely to be affected by the order that may be passed by him, shall be afforded sufficient opportunity to be heard before any orders are passed.

Petitioner shall produce a certified copy of the judgment along with a copy of the writ petition before respondent No.1 for compliance. Petitioner shall also send copies of the above documents to respondent No.2 for information, by registered post within 7 days from today.

A.K. Basheer
Judge.

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